

86th Legislative Session – 2011

Committee: House Judiciary

Monday, January 24, 2011

P - Present
E - Excused
A - Absent

Roll Call

P Abdallah
P Boomgarden
P Feinstein
P Gibson
P Hansen (Jon)
P Killer
P Kopp
P Nelson (Stace)
P Russell
P Tornow
P Turbiville
P Gosch, Vice-Chair
P Hunt, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Chair Hunt.

MOTION: TO APPROVE THE MINUTES OF JANUARY 21, 2011

Moved by: Turbiville
Second by: Gibson
Action: Prevailed by voice vote.

The Chair turned the gavel over to Vice-Chair Gosch.

HB 1003: permit the Interim Rules Review Committee to revert a rule if the rule imposes unreasonable costs.

Presented by: Representative Roger Hunt

Opponents: Representative Justin Cronin
Dick Tieszen, SD Sheriffs Assn. & SD Associated School Boards (handout #1)
Jim Hood, Municipal League, SD
Bob Wilcox, SD Association of County Commissioners

MOTION: DO PASS HB 1003

Moved by: Gibson
Second by: Russell
Action: Prevailed by roll call vote. (10-3-0-0)

Voting Yes: Boomgarden, Feinstein, Gibson, Hansen (Jon), Kopp, Russell, Tornow, Turbiville,
Gosch, Hunt

Voting No: Abdallah, Killer, Nelson (Stace)

Vice-Chair Gosch returned the gavel to Chair Hunt.

HB 1041: revise the statutory duties of the presiding judge of each judicial circuit.

Presented by: Greg Sattizahn, Unified Judicial System

MOTION: DO PASS HB 1041

Moved by: Abdallah
Second by: Hansen (Jon)
Action: Prevailed by roll call vote. (12-1-0-0)

Voting Yes: Abdallah, Boomgarden, Feinstein, Gibson, Hansen (Jon), Killer, Kopp, Nelson
(Stace), Tornow, Turbiville, Gosch, Hunt

Voting No: Russell

HB 1042: revise certain provisions relating to the assignment of a judgment.

Presented by: Greg Sattizahn, Unified Judicial System

MOTION: DO PASS HB 1042

Moved by: Turbiville
Second by: Gosch
Action: Prevailed by roll call vote. (13-0-0-0)

Voting Yes: Abdallah, Boomgarden, Feinstein, Gibson, Hansen (Jon), Killer, Kopp, Nelson (Stace), Russell, Tornow, Turbiville, Gosch, Hunt

MOTION: PLACE HB 1042 ON CONSENT CALENDAR

Moved by: Turbiville

Second by: Feinstein

Action: Prevailed by voice vote.

HB 1043: clarify the jurisdictional amount in a small claims court proceeding.

Presented by: Greg Sattizahn, Unified Judicial System

MOTION: DO PASS HB 1043

Moved by: Tornow

Second by: Gibson

Action: Prevailed by roll call vote. (13-0-0-0)

Voting Yes: Abdallah, Boomgarden, Feinstein, Gibson, Hansen (Jon), Killer, Kopp, Nelson (Stace), Russell, Tornow, Turbiville, Gosch, Hunt

MOTION: PLACE HB 1043 ON CONSENT CALENDAR

Moved by: Gibson

Second by: Turbiville

Action: Prevailed by voice vote.

HB 1048: provide for the distribution of the proceeds of certain civil fines and civil penalties.

Presented by: Representative Betty Olson

Opponents: Liza Clark, Bureau of Finance and Mgmt.

Dawn Dovre, SD Dept. Of Labor

Tony Leif, Department of Game, Fish and Parks

James Marsh, Department of Labor

Randy Moses, Division of Insurance

J.J. Linn, SD Electrical Commission

MOTION: DEFER HB 1048 UNTIL JANUARY 31, 2011

Moved by: Gibson
Second by: Feinstein
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION DEFER HB 1048 TO THE 41ST LEGISLATIVE DAY

Moved by: Turbiville
Second by: Gosch
Action: Failed by roll call vote. (6-7-0-0)

Voting Yes: Abdallah, Boomgarden, Tornow, Turbiville, Gosch, Hunt

Voting No: Feinstein, Gibson, Hansen (Jon), Killer, Kopp, Nelson (Stace), Russell

THE MOTION TO DEFER HB 1048 UNTIL JANUARY 31, 2011

Moved by: Gibson
Second by: Feinstein
Action: Was not acted on.

MOTION: TO TABLE HB 1048

Moved by: Boomgarden
Second by: Turbiville
Action: Prevailed by roll call vote. (7-6-0-0)

Voting Yes: Abdallah, Boomgarden, Hansen (Jon), Tornow, Turbiville, Gosch, Hunt

Voting No: Feinstein, Gibson, Killer, Kopp, Nelson (Stace), Russell

MOTION: ADJOURN

Moved by: Turbiville
Second by: Gosch
Action: Prevailed by voice vote.

Cindy Tryon
Committee Secretary

Roger W. Hunt, Chair